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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Cerro Copper Products  
c/o Susan M. Franzetti  
Martin, Craig, Chester and  
Sonnenschein  
Chicago, Illinois 60603

Re: Dead Creek-Area G  
Sauget, Illinois

Dear Sir or Madam:

On April 14, 1987, the following statement was read to you or your agent over the telephone:

The U.S. Environmental Protection Agency (U.S. EPA) intends to expend public funds to take action to abate a release or threatened release of hazardous substances, pollutants, and other contaminants at the Dead Creek-Area G site in Sauget, Illinois. This action is authorized by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. §9601 et seq. Under CERCLA, and other laws, responsible parties may be liable for money expended by the government to take necessary corrective action at the site, including investigation, planning, cleanup, and enforcement. Potentially responsible parties include the current owner or operator of the site, the past owner and operator, and persons who generate or were involved in transport, treatment, or disposal of hazardous substances at the site.

Contaminants including polychlorinated biphenyls (PCBs), pentachlorophenol (PCP), and octachlorodibenzo-dioxin have been found on the site. Before the government undertakes the necessary response action at the site, potentially responsible parties are being offered the opportunity to perform voluntarily the required

work to abate endangerment from any releases or threat of release of hazardous substances, pollutants, or contaminants from the site. If private party cleanup is not forthcoming and public funds are expended, potentially responsible parties may be liable for the costs incurred by the government. The U.S. EPA plans to initiate an immediate removal action as the first step toward mitigation of the release or threat of release of hazardous substances at the site. This immediate removal action will include the construction of a fence, according to the following specifications, around the site:

- 1) The fence must be of adequate length to enclose the entire site. The site is bordered by Queeny Avenue on the north, Dead Creek on the east, Wiese Engineering on the west, and a ditched area on the south. Although the site's eastern border is already fenced, this fence might require additional construction or repair in order to meet some of the specifications listed below. In regard to the site's southern border, the fence must be erected at least forty (40) feet outside the ditch that runs east-west.
- 2) The fence must be at least six (6) feet high, nine (9) gauge, and chain-linked. Poles should be included on the top of the chain-link.
- 3) Three (3) strand barbed wire should run along the top of the fence.
- 4) A twenty (20) foot truck gate and several walk-through gates, with adequate locks, must also be provided.

These actions are designed to protect the public health from a release or threat of release of hazardous substances, pollutants, or contaminants. Under Section 107 of CERCLA, potentially

responsible parties may be held responsible for all or part of the costs incurred by the U.S. EPA in undertaking this work and other necessary response or remedial work. Potentially responsible parties have the option, should they decide to exercise it, of initiating these activities if this can be accomplished in a timely and appropriate manner. Due to the nature of this endangerment, immediate action will be required. Potentially responsible parties must notify the U.S. EPA no later than April 17, 1987 at 11:00 a.m. Central Daylight Savings Time if they intend to undertake the work planned by the U.S. EPA. If potentially responsible parties fail to notify the U.S. EPA by the above deadline, the U.S. EPA will begin taking the necessary action at the site in lieu of private party action. Please contact either Thomas Mintz, U.S. EPA, Office of Regional Counsel, 230 South Dearborn Street, Chicago, Illinois 60604, phone (312) 886-6600; or Sherry Kamke, U.S. EPA, Waste Management Division, 230 South Dearborn Street, Chicago, Illinois 60604, phone (312) 353-3202 to provide notice or if you have any questions.

This letter confirms the above oral notice and reiterates the responsibilities and rights of Cerro Copper Products Co. under CERCLA. Pursuant to Section 104 of CERCLA, U.S. EPA is authorized to undertake response actions deemed necessary to protect public health or welfare or the environment. U.S. EPA is also authorized to allow potentially responsible parties an opportunity to participate in such response actions.

The U.S. EPA is currently undertaking an emergency response action at the Dead Creek-Area G site in Sauget, Illinois. The U.S. EPA has determined that Cerro Copper Products Co. may be a potentially responsible party for the release or threat of release of hazardous substances, pollutants, or contaminants from the site.

As a potentially responsible party, Cerro Copper Products Co. may be liable for the emergency response costs incurred by the government in taking corrective action at the site. The U.S. EPA will continue to afford Cerro Copper Products Co. an opportunity to participate in future response actions being conducted by the U.S. EPA.

A map of the Dead Creek-Area G site has also be included for your convenience. If you have any questions concerning this matter please contact:

Thomas Mintz  
Office of Regional Counsel  
United States Environmental  
Protection Agency (5CS-16)  
230 South Dearborn Street  
Chicago, Illinois 60604  
Phone (312) 886-6600

or

Sherry Kamke  
Waste Management Division  
United States Environmental  
Protection Agency  
230 South Dearborn Street  
Chicago, Illinois 60604  
Phone (312) 353-3202

Very truly yours,



Basil G. Constantelos, Director  
Waste Management Division

Enclosure